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Our File Number 16-1265817

October 11, 2016

Los Angeles Sanitation  
1149 Broadway, 9<sup>th</sup> Floor  
Los Angeles, CA 90015

Re: August 29, 2016 California Public Records Act Request

Dear LA Sanitation:

We represent the Los Angeles Community Action Network and Eric Ares. Mr. Ares submitted a California Public Records Act Request to LA Sanitation on August 29, 2016, requesting documents related to Operation Healthy Streets. The request was sent via Certified Mail, and a copy of the request is attached for your convenience.

To date, our client has not received a response to the request. The City's failure to even respond to Mr. Ares's request is a violation of the California Public Records Act. Under the California Public Records Act, Government Code Section 6253, all requests must be responded to within 10 days. Extensions of no more than 14 days are available only in "unusual circumstances." Ca. Gov't Code § 6253(c); *see also Marken v. Santa Monica-Malibu Unified School Dist.*, (2012) 202 Cal. App. 4<sup>th</sup> 1250, 1268 n. 14. It has now been approximately six weeks since Mr. Ares submitted his request—well beyond even the additional time allowed for "unusual circumstances," and he has not received any response.

The information Mr. Ares requested is straightforward and should be easy to produce. For example, Mr. Ares requested Safety Data Sheets related to chemicals that are used on a daily basis by the Bureau of Sanitation. Under the California Occupational and Safety Hazard Administration regulations that apply to the City of Los Angeles, these documents must be readily available to all employees using these chemicals. Therefore, there should have been no issue with providing these documents immediately to Mr. Ares. The rest of the items should be equally straight-forward, but to the extent they are not, Mr. Ares requested a rolling production or for the documents to be made immediately for his inspection. The City has not complied, or provided any response at all, which alone is a violation of state law.

If the City does not respond to Mr. Ares's request within the next 10 days, he will have no choice but to commence legal action to compel the production of these records. We hope that such an action will not be necessary, and LA Sanitation will begin to fulfill its obligations to provide this information as quickly as the law requires. We look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Myers".  
Shayla R. Myers, Esq.

**Other Office Locations:**

**East Los Angeles Office**, 5228 Whittier Blvd., Los Angeles, CA 90022; 213-640-3883  
**Long Beach Office**, 601 Pacific Ave., Long Beach, CA 90802; 562-435-3501  
**Santa Monica Office**, 1640 5th St., Suite 124, Santa Monica, CA 90401; 310-899-6200  
**West Office**, 1102 Crenshaw Blvd., Los Angeles, CA 90019; 323-801-7989

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for Equal Justice



VIA ~~REGISTERED~~ CERTIFIED MAIL

Eric Ares  
Los Angeles Community Action Network  
838 E. 6<sup>th</sup> St.  
Los Angeles, CA 90012

July 26, 2016

Los Angeles Sanitation  
1149 Broadway, 9<sup>th</sup> Floor  
Los Angeles, CA 90015

RE: California Public Records Act Request

To Whom it May Concern:

This is a request pursuant to the California Public Records Act (Govt. Code §§ 6250 et seq.) for copies of certain records in the possession, custody or control of the City of Los Angeles related to the cleaning of streets, sidewalks, and public rights of way as part of Operation Healthy Streets and similar operations.

Our request encompasses the records falling within the specific categories set forth below. The term "record" as used in this request has the same broad definition as is given the term "writing" in Section 6252(f) of the Government Code, as set forth below, and includes drafts of all documents encompassed in this request:

Any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

Specifically, we request the following documents:

1. Any records that identify the chemicals or cleaning agents used in the cleaning of streets, sidewalks, public rights of way, or any other public location as part of Operation Healthy Streets or similar operations;
2. All Safety Data Sheets for any chemicals or cleaning agents used in the cleaning of streets, sidewalks, public rights-of-way as part of Operation Healthy Streets;
3. All Safety Data Sheets for any chemicals or cleaning agents used in the cleaning of Ocean Front Walk in Venice;





4. All Safety Data Sheets for any chemicals or cleaning agents used in a cleaning of streets, sidewalks, or other public rights of way conducted by LA Sanitation in Venice on or about August 16, 2016;
5. All policies, procedures, or directives related to Operation Healthy Streets;
6. All policies, procedures, or directives related to the cleaning of Ocean Front Walk in Venice;
7. All policies, procedures, or directives related to cleanings of the streets, sidewalks, and public rights of way like the one conducted in Venice on August 16, 2016;
8. All manuals or training materials used to train personnel participating in Operation Healthy Streets about Operation Healthy Streets or similar operations;
9. Any documents that spell out the Best Management Practices that are applicable to the cleaning of sidewalks or streets during Operation Healthy Streets or similar operations, including but not limited to the cleaning of Ocean Front Walk and the cleaning in Venice on August 16, 2016;
10. All policies, procedures, or directives related to the use of the chemicals or cleaning agents that are used during Operation Healthy Streets or similar cleanings of public spaces;
11. All training materials, including but not limited to presentations, handouts, manuals, flyers or other documents used to train LA Sanitation employees, agents, or contractors regarding the use of the chemicals or cleaning agents that are used during Operation Healthy Streets or similar cleanings of public spaces.

I look forward to working with you to obtain these public records and to your response to this request within ten (10) days of receipt of this letter. *See* California Government Code § 6253(c). To the extent that your agency claims the right to withhold any record, or portion of any record, please describe each and every record or portion of any record that is being withheld and the claimed reason for the exemption, citing the exact language of the Public Records Act and the legal authority on which you rely. If portions of the records requested are exempt from disclosure, please provide the non-exempt portions.

If any of the records requested above are available in electronic format, please make them available in electronic format, rather than paper format, pursuant to California Government Code § 6253.9. I request that you email me any records available in electronic format to avoid copying costs.

If you are aware of documents that may exist within the City of Los Angeles but are not held by LA Sanitation, we ask that you identify the Department, Agency, or other entity that may have those documents, and a person, if known, who should be contacted regarding those documents.

Because the Los Angeles Community Action Network is a non-profit public interest organization, I request that you waive any fees. No part of the information obtained with be



distributed or sold for profit. If you are unwilling to waive the fees, and the documents cannot be provided in electronic format, I request that you provide the documents for inspection and scanning by our office.

Please send responsive documents to me, via email or mail, at

Eric Ares  
Los Angeles Community Action Network  
838 E. 6<sup>th</sup> St.  
Los Angeles, CA 90012  
[erica@canngress.org](mailto:erica@canngress.org).

If you have any questions or need any additional information, please do not hesitate to contact me at (213) 228-0024 or [erica@canngress.org](mailto:erica@canngress.org).

Thank you in advance for your timely consideration of this request.

Sincerely,

  
Eric Ares

